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UNITED STATES DISTRICT COURT DISTRICT OF OREGON
EUGENE DIVISION

NOTICE OF REMOVAL

Oregon Court of Appeals Case No: 10417118

6:24-cv-0004-MC

Shasta Winn (Myco-Method), Plaintiff

v.

Higher Education Coordinating Commission (HECC), Ben Cannon, Ramona Rodamaker,
Veronica Dujon, Kia Sorensen, Peter Gertenrich, Matthew Altman, and Sean Brady, Defendants

Pursuant to 28 U.S.C. § 1446, Plaintiff, Shasta Winn hereby removes the above-mentioned case from The Oregon Court of Appeals to the United States District Court for the District of Oregon, Eugene Division, due to federal question jurisdiction and claims arising under the Constitution and laws of the United States.

Parties and Jurisdictional Basis:

I, Shasta Winn, sole proprietor of Myco-Method, hereinafter referred to as Plaintiff, initiated a judicial review in the Oregon Court of Appeals against decisions made by the above-named representatives of the Higher Education Coordinating Commission (HECC). The request pertains to a private career school (PCS) licensing application, and a separate request for religious exemption from PCS licensure. Plaintiff claims constitutional violations involving denial of due process, equal protections, and religious freedoms, refusal of magisterial, non-discretionary duty, and anticompetitive actions in the PCS application process. Plaintiff removes this case to the United States District Court based on federal question jurisdiction under 28 U.S.C. § 1331.

Justification

Federal Questions Presented:

Plaintiff's claims center around federal questions stemming from violations of federal protections, specifically the First and Fourteenth Amendments, and antitrust laws 15 U.S.C. § 1 (1890), 15 U.S.C. § 12 et seq. (1914)

Plaintiff raises federal questions over the HECC's eight month refusal to communicate clear standards or criteria used to determine the "adequacy" or "inadequacy" of career schools for licensure. The lack of transparency raises concerns for substantive due process and equal protection, and leaves the Plaintiff uncertain of reasons for unequal treatment and delayed process.

Plaintiff also raises federal questions regarding HECC's imposition of secular commercial licensing on non-profit, spiritual, religious programs for teaching mystical practices. This coercive decision raises many constitutional concerns.

Plaintiff further presents federal questions on potential political interference distorting the education market, invoking antitrust laws like the Sherman Act and Clayton Act. The claim suggests harm to fair competition, choice restrictions, and abuse of HECC's regulatory dominance.

Grounds for Removal:

Plaintiff contends that this case is properly removed to the federal court due to the federal questions involved, which form all of the Plaintiff's claims. Removal is appropriate under 28 U.S.C. § 1446(b) because the federal questions and related jurisdictional issues predominate over state law claims.

Plaintiff contends exhaustive pursuit of all available avenues to address these complaints. Prior to petitioning this court, Plaintiff diligently requested an internal investigation, reported to oversight bodies, engaged with media and advocacy groups, and consistently pushed for transparency in email correspondences. These actions were taken comprehensively and in adherence to applicable laws and regulations.

Notice to Adverse Parties:

A copy of this Notice of Removal is being promptly filed with the The Oregon Court of Appeals, and notice of the removal will be served on all parties involved in accordance with 28 U.S.C. § 1446(d).

Request for Confirmation:

The Plaintiff respectfully requests that the United States District Court for the District of Oregon confirm the removal of this case and assume jurisdiction over the matter.

Request to Become a Registered User of CM/ECF

The pro se Plaintiff also respectfully requests permission to become a Registered User of the Case Management/Electronic Case Files (CM/ECF) system for this specific case. Pursuant to the regulations, Shasta Winn, as a pro se party and not incarcerated, seeks approval to participate in electronic filing and service through CM/ECF.

Consent to Electronic Service:

I hereby consent to electronic service via CM/ECF and acknowledge my responsibility to regularly check the electronic docket for updates, orders, and other communications related to this case.

Understanding of Requirements:

I understand and agree to comply with all requirements outlined in Crim. LR 49, as well as any other applicable rules governing electronic case management.

Respectfully submitted,



Shasta Winn

Date: December 22, 2023

CERTIFICATIONS AND CLOSING

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:
12-22-2023

Signature of Plaintiff:



Printed Name of Plaintiff:

Shasta S Winn

CERTIFICATE OF FILING

I certify that on December 22, 2023 I filed the original of the notice of removal with the Federal District Court at the following address:

Clerk of the Court
Wayne L. Morse U.S. Courthouse
405 East Eighth Ave.
Eugene, OR 97401

by the following method of filing:

United States Postal Service, ordinary first class mail.

I certify that on December 22, 2023 I filed a true copy of the notice of removal with the State Court Administrator at the following address:

ATTN: Records Section
Appellate Court Administrator
Supreme Court Building
1163 State Street
Salem, OR 97301-2563

by the following method of filing:

United States Postal Service, ordinary first class mail.

DATE: 12-22-23

SIGNATURE:



CERTIFICATE OF SERVICE

I certify that on December 22, 2023, I served a true copy of the notice of removal to the following parties at the addresses set forth below.

Ben Cannon
Higher Education Coordinating Commission
3225 25th St SE
Salem, OR 97302
ben.CANNON@hecc.oregon.gov

Romana Rodamaker

Higher Education Coordinating Commission
Ramona.R.RODAMAKER@hecc.oregon.gov

Veronica Dujon
Higher Education Coordinating Commission
Veronica.DUJON@hecc.oregon.gov

Kia Sorensen
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Peter Gertenrich
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Peter.GERTENRICH@hecc.oregon.gov

Matthew Altman
Higher Education Coordinating Commission
Matthew.ALTMAN@hecc.oregon.gov

Sean Brady
Oregon Department of Justice
sean.brady@doj.state.or.us

by the following method of service:

United States Postal Service, ordinary first class mail and email respectively

DATE:12-22-2023

SIGNATURE:

A handwritten signature in black ink, appearing to read "Sean Brady", written over a horizontal line.